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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,289	06/28/2002	Charles Edward Kuhlmann	RAL920010029	4433
25299	7590	07/21/2004	EXAMINER	
IBM CORPORATION PO BOX 12195 DEPT 9CCA, BLDG 002 RESEARCH TRIANGLE PARK, NC 27709			AKERS, GEOFFREY R	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 07/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/064289

Applicant(s)

Kuhlmann

Examiner

Akers, g

Group Art Unit

3625

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 2/19/04
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-13, 15-20 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-13, 15-20 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____
 - ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

DETAILED ACTION

Response to Amendment

1. This action is issued in response to applicant's amendment dated 3/19/04.
2. Claims 1-2,9-10,15,17 were amended. Claim 14 was cancelled.
3. Claims 1-13,15-20 as amended are pending.

Claim Rejections - 35 USC § 103

4. Claims 1-13 and 15-20 are rejected under 35 USC 103(a) as unpatentable over Henson(US Pat. No:6,167,383) in view of Salvo(US Pat. No: 6,341,271). The rejections as stated in the Office Action(Paper #4) dated 12/23/03 are maintained.

Response to Arguments

5. Applicant's arguments have been considered but are not persuasive. Henson teaches a method for optimizing a product order(col 4 lines 41-52).Henson does teach long lead time delivery(col 6 line 44-col 7 line 21)(col 14 line 62-col 15 line 24).There is no inference that component is not a factor in long lead time delivery. Salvo teaches an inventory management system that includes the step of monitoring the manufacturer's inventory supply in real time to determine if a component is unavailable and determining an appropriate supplier and placing an order for the component(col 11 lines 18-37)(Abstract)(Fig 2/229/227)(col 2 line 56-61)(col 3 lines 8-22).Henson teaches providing long lead time delivery information(col 6 line 44-col 7 line 21) and a reporting process with an indicator(col 15 lines 10-11)which at least in part depends on component availability which affects such lead times because component availability would indeed produce a warning indication in the teachings of Henson. Additionally,

Henson reports immediately to the user of any shipment delays(col 7 lines 17-20) as well as shipping information (Fig 9) from a site. Additionally, Salvo teaches inventory levels at a defined manufacturing site(col 3 line 45).Henson further teaches offering the customer at least one order option in real time(Fig 4/82)(Fig 5/92).

Conclusion

6. THIS ACTION IS MADE FINAL.

Applicant's amendment necessitated additional grounds for rejection.

7. Any questions concerning this communication should be addressed to the primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the primary examiner are unsuccessful, the primary examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

July 17,2004



DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER